

IN RE: PETITION FOR VARIANCE
NE/S Chenoak Avenue, 407' NW
of the c/l of Harford Road
(2918 Chenoak Avenue)
9th Election District
6th Councilmanic District

Michael J. Gallagher, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-216-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2918 Chenoak Avenue, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Michael J. and Christine A. Gallagher. The Petitioners seek relief from Sections 415.A and 428 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) recreational vehicles (boats) to be stored on the subject property in lieu of the permitted one (1) recreational vehicle, and to permit the outside storage of an inoperative motor vehicle in lieu of the required operative vehicle. The subject property and relief sought are more particularly described on the Petition filed and the site plan submitted.

Appearing at the hearing on behalf of the Petition was Michael J. Gallagher, property owner. Numerous residents from the surrounding community appeared in opposition to the request, including Cherri A. Sparenberg, adjoining property owner.

At the onset of the hearing, Mr. Gallagher requested that his Petition for Variance be dismissed. Mr. Gallagher indicated that he has removed one of the recreational vehicles from his property, thereby leaving only one recreational vehicle to be stored, and that he is not proceeding with his request to store an inoperative motor vehicle on his property.

ORDER RECEIVED FOR FILING

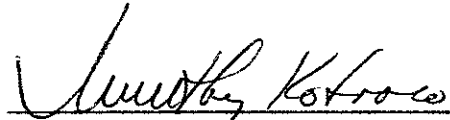
Date

By

NOTED -

Inasmuch as the Petitioner has withdrawn his request and the property appears to be in compliance with the zoning regulations, the Petition for Variance shall be dismissed without prejudice.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of January, 1996 that the Petition for Variance seeking relief as set forth above, be and is hereby DISMISSED without prejudice.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

1/22/96

By





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 22, 1996

Mr. & Mrs. Michael Gallagher
2918 Chenoak Avenue
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
NE/S Chenoak Avenue, 407' NW of the c/l of Harford Road
(2918 Chenoak Avenue)
9th Election District - 6th Councilmanic District
Michael J. Gallagher, et ux - Petitioners
Case No. 96-216-A

Dear Mr. & Mrs. Gallagher:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Cherri A. Sparenberg
2919 Chenoak Avenue, Baltimore, Md. 21234

People's Counsel

✓ File



Petition for Variance

96-216-A
to the Zoning Commissioner of Baltimore County

for the property located at 2918 CHENOA AVE BALTO MD 21234
which is presently zoned DR S.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 415A & 428

To allow 2 (two) recreational vehicles (boats) in lieu of the minimum required 1 (one) and to allow outside storage of inoperative motor vehicle in lieu of the required operative motor vehicle.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1) NO PLACE TO STORE 1972 CAR AND 1965 BOAT (2)
TO BE DISCUSSED AT THE HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

MICHAEL J. GALLAGHER
(Type or Print Name)

Michael J. Gallagher
Signature

CHRISTINE A. GALLAGHER
(Type or Print Name)

Christine A. Gallagher
Signature

2918 CHENOA AVE 661-9144
Address Phone No

BALTIMORE MD 21234
City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: Jf DATE 11/20/95

215

ORDER RECEIVED FOR FILING

Date

11/22/96

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

ZONING DESCRIPTION

96-216-A

ZONING DESCRIPTION FOR 2918 CHENOAK AVENUE, BALTIMORE, MD 21234

Beginning at a point on the NORTHEAST side of
CHENOAK AVENUE which is FIFTEEN FEET WIDE
at a distance of 407 FEET NORTHWEST of the
centerline of the nearest improved intersecting street HARFORD ROAD
which is THIRTY FEET wide. *Being Lot #7,
Block 5.5, Section #DR in the subdivision of HARFORD SHIRE
as recorded in Baltimore County Plat Book #5, Folio #12,
containing 7304.00 SF. Also known as 2918 CHENOAK AVENUE
Baltimore, Maryland 21234 and located in the 9 Election District
Councilmanic District.

#215

96-216-H
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Varonco Date of Posting 12/18/95

Posted for: M. J. & C. H. Gallagher

Petitioner: 2918 Chardon Ave

Location of property: Feing road w by on property being app'd

Location of Sign: Feing road w by on property being app'd

Remarks: 12/18/95
Posted by [Signature] Date of return: 12/18/95
Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chase Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #98-218-A

(Item 218)
2818 Glenbrook Avenue
NE/S, Chesapeake Avenue, 407
NW of 62nd Road
9th Election District
8th Councilmanic
Legal District

Michael J. Gallagher and
Christina A. Gallagher

Hearing: Tuesday, December
28, 1995 at 2:00 p.m. in Rm.
108, County Office Building.

Variance: to allow (two) recreational vehicles (boats) in lieu of the minimum required (one) and to allow outside storage of inoperative motor vehicles in lieu of the required inoperative motor vehicle.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Call 867-3353.
(2) For information concerning the File and/or Hearing,
Please Call 867-3351.

12020 Dec. 7 '95

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/8, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/7, 1995.

THE JEFFERSONIAN,

A. H. Enrich

LEGAL AD. - TOWSON

Publisher

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

96-216-A

DATE 11/22/95 ACCOUNT B-COM-015-000

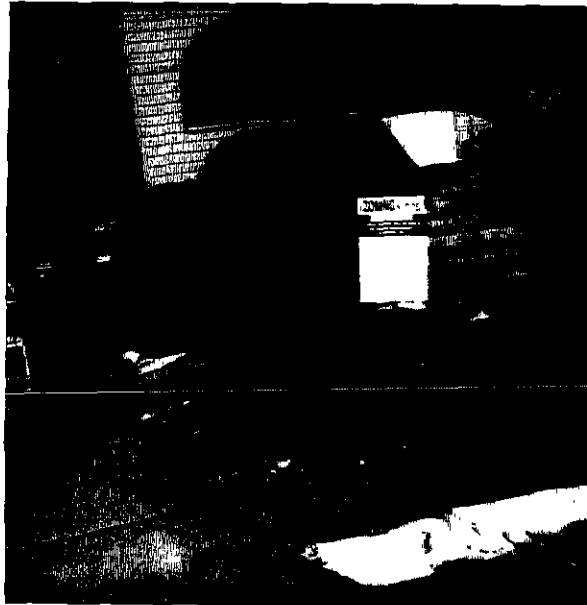
AMOUNT \$ 25.00

RECEIVED FROM: GALLAGHER
DIO Ver. - BSL ITEM # 215
OKO Sign - BSL Taken JRF

FOR: BSL

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 215 Petitioner: _____

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MICHAEL J. GALLAGHER
*Michael and Christine
Gallagher
2918 Chenook Ave.
Baltimore, MD 21234*

ADDRESS: 2918 CHENOOK AVE

BALTIMORE MD. 21234

PHONE NUMBER: 410: 661-9144



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 4702 S. 10th St., N.W.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

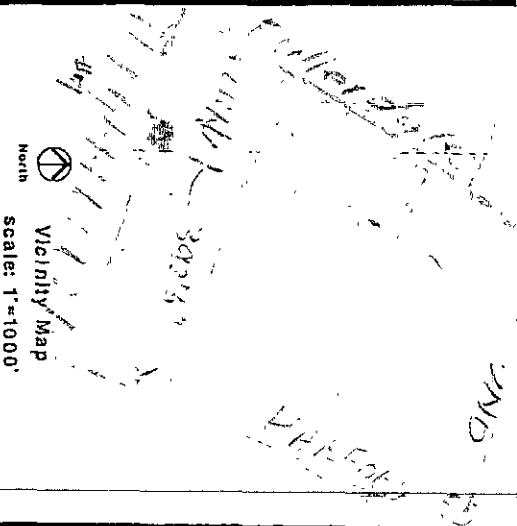
OWNER: 4702 S. 10th St., N.W.



North

date: 7/0

prepared by: _____ Scale of Drawing: 1"= _____



LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#:

Zoning: _____

Lot size: _____

acreage _____ square feet _____

SEWER: ☒ public ☐ private

WATER: ☒ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-216-A (Item 215)
2918 Ghencak Avenue
NE/S Chencak Avenue, 407' NW of c/l Harford Road
9th Election District - 6th Councilmanic
Legal Owner: Michal J. Gallagher and Christine A. Gallagher

Variance to allow (two) recreational vehicles (boats) in lieu of the minimum required (one) and to allow outside storage of inoperative motor vehicles in lieu of the required operative motor vehicle.

HEARING: TUESDAY, DECEMBER 26, 1995 at 2:00 p.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Michael and Christine Gallagher

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 19, 1995

Mr. and Mrs. Michael J. Gallagher
2918 Chenoak Avenue
Baltimore, MD 21234

RE: Item No.: 215
Case No.: 96-216-A
Petitioner: M. J. Gallagher, et ux

Dear Mr. and Mrs. Gallagher:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 20, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: December 11, 1995

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 2918 Chenoak Avenue

INFORMATION:

Item Number: 215

Petitioner: Gallagher Property

Property Size: _____

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

A review of Sections 415A and 428 of the Baltimore County Zoning Regulations reveals that the subject Petition is, in essence, requesting variances from use regulations. While staff does not oppose the applicant's request, we can find no provision in the BCZR to permit the relief requested.

Prepared by: Jeffrey W. Long

Division Chief: Caryl L. Kerns

PK/JL



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-5-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 215 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 4, 1995.

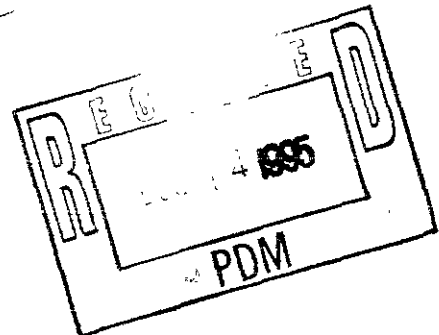
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 215, 216, 217 AND 219.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 8, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 11, 1995
Items 215, 216, 217 and 219

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw



Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: November 21, 1995

FROM: James H. Thompson - JP
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 215
PETITIONER: M.J. Gallagher, Jr. and Christine A. Gallagher
Tenants By Entireties

VIOLATION CASE NO.: 96-128

LOCATION OF VIOLATION: 2918 Chenoak Avenue
Baltimore, Maryland 21234
9th Election District

DEFENDANTS: M.J. Gallagher, Jr. and Christine A. Gallagher
2918 Chenoak Avenue
Baltimore, Maryland 21234

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/JP/hek

may
12/26

RE: PETITION FOR VARIANCE
2918 Chenoak Avenue, NE/S Chenoak Ave,
407' NW of c/l Harford Road, 9th
Election District - 6th Councilmanic

Michael and Christine Gallagher
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-216-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of December, 1995, a copy of the foregoing Entry of Appearance was mailed to Michael and Christine Gallagher, 2918 Chenoak Avenue, Baltimore, MD 21234, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

12/15/95
f
TO 13 file

5889-95

Cherri A Sparenberg
2919 Chenoak Avenue
Baltimore, MD 21234

December 14, 1995

Mr Arnold Jablon, Director PDM
County Office Building
Room 111
111 West Chesapeake
Towson, MD 21204

re Case #96-216A
Item #215

Dear Mr Jablon

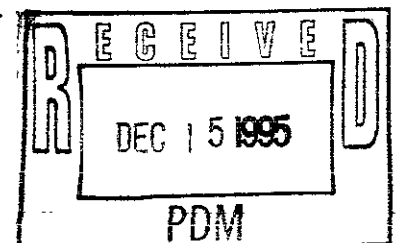
I am very distressed to learn that my neighbor is attempting to receive a zoning variance in our neighborhood I am extremely concerned about the likely decrease in my property value since my home faces the neighbor seeking the variance.

This neighbor already parks one of his four vehicles in front of my house every day (there is parking on only one side of the street) While the vehicles do rotate from time to time, the one that sits in front of my house predominantly has had a taillight taped over with red tape since I moved in over four years ago Another vehicle leaks oil, a third is rusting and the driver's door does not seem to shut properly.

I know this neighbor owns at least one boat and a trailer because periodically during the summer all of his vehicles are moved out on to the street so the boat can be pulled out from the back yard

This neighbor recently purchased a truck. I have seen it sitting in his driveway with the lift door left open for days - even during rain. There were stuffed animals and fabric office chairs left out in his driveway in all types of weather last winter. The convertible, which is used briefly during the warmer months, sits with a tarp covering it most of the time - though it blows off and lays in the yard frequently

I am seriously concerned that the approval of a zoning variance will just open the door to further deterioration of the neighborhood as a whole. My fiance and I no longer sit out on the front porch as we are so disgusted with what faces us now Were this situation allowed to continue or get worse I would feel forced to move - and who would want a home which looks out onto such a scene?



I don't know whether or not it is common practice to survey the area when a request is made for a zoning variance, but I certainly feel the circumstances warrant it. Observers would notice how much the neighbors care for their homes and yards. A large percentage of the homes on our block are decorated for the holidays, but the care of the lawns and the many gardens and landscaping are also evident. I feel strongly that allowing the zoning variance would destroy the integrity of our neighborhood.

Even though it is scheduled for the day after Christmas, I plan to appear at the hearing to oppose this variance.

Respectfully,

Clara A. Sparenberg

Dec 13, 1995

Arnold Jablon, Director PDM
County Office Bldg. RM 111
111 W. Chesapeake Ave
Towson, Maryland 21204

12/14/95
✓

5864-95
42

Dear Sir,

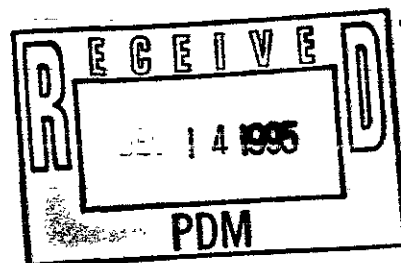
This letter is in reference to a notice posted in my neighborhood announcing a hearing on a zoning variance request. The case is # 96-216 A ITEM # 215

Many of my neighbors are opposed to the granting of these variances. We would like to maintain the integrity of our residential area.

I shall refrain from further remarks. I assume they would be more appropriately voiced at the scheduled hearing.

Sincerely,

(Mrs) Frances L. Chenoweth
2927 Chenoweth Ave.
Baltimore, Maryland 21234
(410) 668-3053



5863-95
GS for file

LETITIA THEISS
2917 CHENOAK AVE
BALTO MD 21234
PHONE: 661-4621

RE: CASE 96-216A
ITEM 215

DEC. 12, 1995

MR. ARNOLD JABLON, DIR. PDM
COUNTY OFFICE BLDG. Rm. 111
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204

DEAR MR. JABLON,

MY NEIGHBOR AT 2918 CHENOAK AVENUE
IS REQUESTING A VARIANCE FROM RESIDENT-
IAL ZONING IN ORDER TO ALLOW PARK-
ING OF VARIOUS UNLICENSED/INOPERABLE
VEHICLES. I AM OPPOSED TO THAT
VARIANCE, SINCE IT IS MY OPINION
THAT THIS SORT OF THING IS DETRACT-
ING FROM OUR PROPERTY VALUES AS
RESIDENTIAL PROPERTY. THANK YOU
FOR YOUR CONSIDERATION.

SINCERELY,

Letitia A. Theiss

IN RE: PETITION FOR VARIANCE
NE/S Chenoak Avenue, 407' NW
of the c/1 of Harford Road
(2918 Chenoak Avenue)
9th Election District
6th Councilmanic District
Michael J. Gallagher, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-216-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2918 Chenoak Avenue, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Michael J. and Christine A. Gallagher. The Petitioners seek relief from Sections 415.A and 428 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) recreational vehicles (boats) to be stored on the subject property in lieu of the permitted one (1) recreational vehicle, and to permit the outside storage of an inoperative motor vehicle in lieu of the required operative vehicle. The subject property and relief sought are more particularly described on the Petition filed and the site plan submitted.

Appearing at the hearing on behalf of the Petition was Michael J. Gallagher, property owner. Numerous residents from the surrounding community appeared in opposition to the request, including Cherri A. Sparenberg, adjoining property owner.

At the onset of the hearing, Mr. Gallagher requested that his Petition for Variance be dismissed. Mr. Gallagher indicated that he has removed one of the recreational vehicles from his property, thereby leaving only one recreational vehicle to be stored, and that he is not proceeding with his request to store an inoperative motor vehicle on his property.

Inasmuch as the Petitioner has withdrawn his request and the property appears to be in compliance with the zoning regulations, the Petition for Variance shall be dismissed without prejudice.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of January, 1996 that the Petition for Variance seeking relief as set forth above, be and is hereby DISMISSED without prejudice.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 22, 1996

Mr. & Mrs. Michael Gallagher
2918 Chenoak Avenue
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
NE/S Chenoak Avenue, 407' NW of the c/1 of Harford Road
(2918 Chenoak Avenue)
9th Election District - 6th Councilmanic District
Michael J. Gallagher, et ux - Petitioners
Case No. 96-216-A

Dear Mr. & Mrs. Gallagher:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Cherri A. Sparenberg
2919 Chenoak Avenue, Baltimore, Md. 21234

People's Counsel

File



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 2918 CHENOAK AVE BALTO MD 21234
which is presently zoned R-5

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property shown in Baltimore County, and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 415A & 428 to allow 2 (two) recreational vehicles (boats) in lieu of the minimum required 1 (one) and to allow outside storage of inoperative motor vehicle in lieu of the required operative motor vehicle.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

NO PLACE TO STORE 1972 CAR AND 1965 BOAT (2)
TO BE DISCUSSED AT THE HEARING

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Current Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City State Zipcode

Name

Address

City State Zipcode

Phone No.

ESTIMATED LENGTH OF HEARING

Available for Hearing

Next Two Months

ALL OTHER

REVIEWED BY: *Jf* DATE: 11/20/95

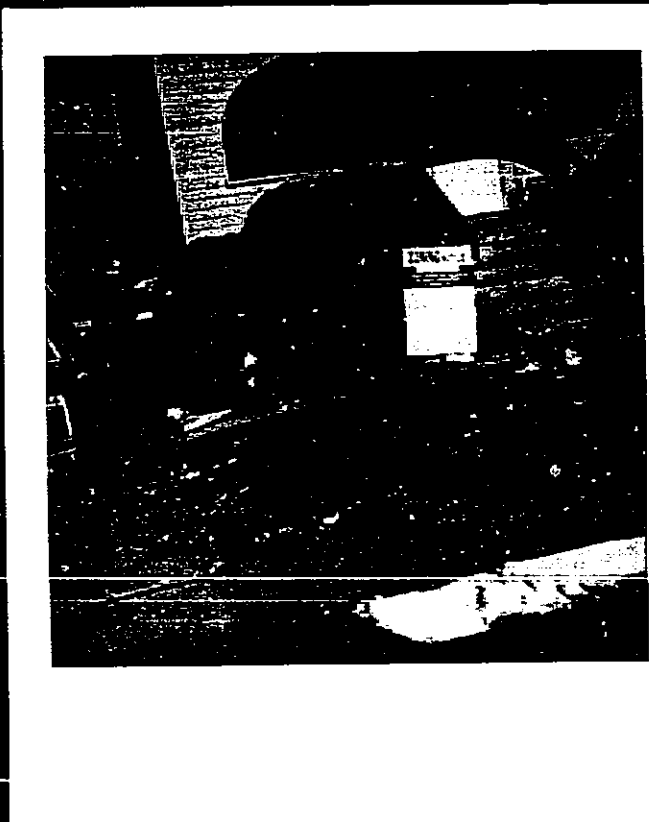
#215

ORDER RECEIVED FOR FILING
Date 1/22/96
By *Jf*

ORDER RECEIVED FOR FILING
Date 1/22/96
By *Jf*

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 9th Date of Posting 12/8/95
Posted for Variance
Petitioner: M.J. & C.A. Gallagher
Location of property 2918 Chenoak Ave
Location of Sign: Being removed by property owner 12/22/95
Remarks: *Michael J. Gallagher*
Posted by *Michael J. Gallagher* Date of return 12/18/95
Number of Signs 1



ZONING DESCRIPTION 96-216-A

ZONING DESCRIPTION FOR 2918 CHENOAK AVENUE, BALTIMORE, MD 21234

Beginning at a point on the NORTHEAST side of CHENOAK AVENUE which is FIFTEEN FEET WIDE at a distance of 407 FEET NORTHWEST of the centerline of the nearest improved intersecting street HARFORD ROAD which is THIRTY FEET wide. *Being Lot #7, Block 5.5, Section #DR in the subdivision of HARFORD SHIRE as recorded in Baltimore County Plat Book #5, Folio #12, containing 7304.00 SF. Also known as 2918 CHENOAK AVENUE Baltimore, Maryland 21234 and located in the 9 Election District Councilmanic District.

#215

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD. 12/8, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/7, 1995.

THE JEFFERSONIAN
A. Henikman
LEGAL AD. - TOWSON
Publishers

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 011107
96-216-A
DATE 11/20/95 ACCOUNT R-001-615-000
AMOUNT \$ 85.00
RECEIVED FROM GALLAGHER
C/O Var. - \$50 ITEM# 215
C/O Sign - \$35 Total \$85.00
MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No. 215 Petitioner:

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME: *Michael J. Gallagher*

ADDRESS: 2918 CHENOAK AVE

BALTIMORE MD 21234

410: 661-9144

PHONE NUMBER: 661-9144

Printed with Soybean Ink
and Recycled Paper

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-216-A (Item 215)
2918 Chenoak Avenue
NE/S Chenoak Avenue, 407' NW of c/l Harford Road
9th Election District - 6th Councilmanic
Legal Owner: Michael J. Gallagher and Christine A. Gallagher

Variance to allow (two) recreational vehicles (boats) in lieu of the minimum required (one) and to allow outside storage of inoperative motor vehicles in lieu of the required operative motor vehicle.

HEARING: TUESDAY, DECEMBER 26, 1995 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon
Arnold Jablon
Director

cc: Michael and Christine Gallagher

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 19, 1995

Mr. and Mrs. Michael J. Gallagher
2918 Chenoak Avenue
Baltimore, MD 21234

RE: Item No.: 215
Case No.: 96-216-A
Petitioner: M. J. Gallagher, et ux

Dear Mr. and Mrs. Gallagher:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 20, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: December 11, 1995

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 2918 Chenoak Avenue

INFORMATION:

Item Number: 215

Petitioner: Gallagher Property

Property Size:

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

A review of Sections 415a and 428 of the Baltimore County Zoning Regulations reveals that the subject Petition is, in essence, requesting variances from use regulations. While staff does not oppose the applicant's request, we can find no provision in the BCZR to permit the relief requested.

Prepared by: *Jeffrey W. L...*

Division Chief: *Carol Temo*

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-5-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 215 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21206-5500

(410) 887-4500

DATE: 12/07/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

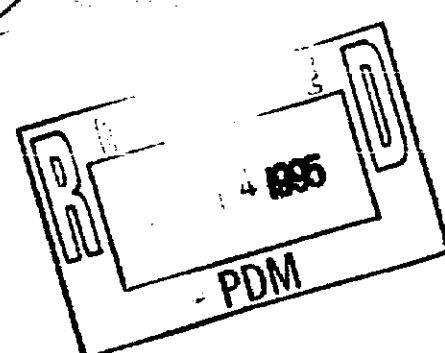
LOCATION: DISTRIBUTION MEETING OF DEC. 4, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS 215, 216, 217 AND 219.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Dec. 8, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 11, 1995
Items 215, 216, 217 and 219

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

MICROFILMED



Code
Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3325

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: November 21, 1995

FROM: James H. Thompson - JP
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 215
PETITIONER: M.J. Gallagher, Jr. and Christine A. Gallagher
Tenants By Entireties

VIOLATION CASE NO.: 96-128

LOCATION OF VIOLATION: 2918 Chenoak Avenue
Baltimore, Maryland 21234
9th Election District

DEFENDANTS: M.J. Gallagher, Jr. and Christine A. Gallagher
2918 Chenoak Avenue
Baltimore, Maryland 21234

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/JP/hek

MICROFILMED

RE: PETITION FOR VARIANCE * BEFORE THE
2918 Chenoak Avenue, NE/S Chenoak Ave. * ZONING COMMISSIONER
407' NW of c/l Harford Road, 9th *
Election District - 6th Councilmanic * OF BALTIMORE COUNTY
Michael and Christine Gallagher *
Petitioners * CASE NO. 96-216-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 1995, a copy of the foregoing Entry of Appearance was mailed to Michael and Christine Gallagher, 2918 Chenoak Avenue, Baltimore, MD 21234, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Cherri A. Sparenberg
2919 Chenoak Avenue
Baltimore, MD 21234

December 14, 1995

Mr. Arnold Jablon, Director PDM
County Office Building
Room 111
111 West Chesapeake
Towson, MD 21204

re Case #96-216A
Item #215

Dear Mr. Jablon:

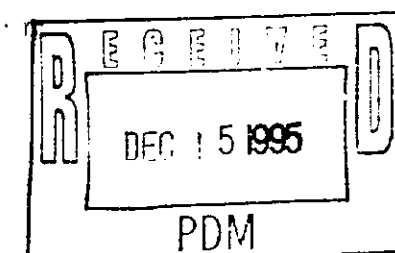
I am very distressed to learn that my neighbor is attempting to receive a zoning variance in our neighborhood. I am extremely concerned about the likely decrease in my property value since my home faces the neighbor seeking the variance.

This neighbor already parks one of his four vehicles in front of my house every day (there is parking on only one side of the street). While the vehicles do rotate from time to time, the one that sits in front of my house predominantly has had a taillight taped over with red tape since I moved in over four years ago. Another vehicle leaks oil, a third is rusting and the driver's door does not seem to shut properly.

I know this neighbor owns at least one boat and a trailer because periodically during the summer all of his vehicles are moved out on to the street so the boat can be pulled out from the back yard.

This neighbor recently purchased a truck. I have seen it sitting in his driveway with the lift door left open for days - even during rain. There were stuffed animals and fabric office chairs left out in his driveway in all types of weather last winter. The convertible, which is used briefly during the warmer months, sits with a tarp covering it most of the time - though it blows off and lays in the yard frequently.

I am seriously concerned that the approval of a zoning variance will just open the door to further deterioration of the neighborhood as a whole. My fiancé and I no longer sit out on the front porch as we are so disgusted with what faces us now. Were this situation allowed to continue or get worse I would feel forced to move - and who would want a home which looks out onto such a scene?



I don't know whether or not it is common practice to survey the area when a request is made for a zoning variance, but I certainly feel the circumstances warrant it. Observers would notice how much the neighbors care for their homes and yards. A large percentage of the homes on our block are decorated for the holidays, but the care of the lawns and the many gardens and landscaping are also evident. I feel strongly that allowing the zoning variance would destroy the integrity of our neighborhood.

Even though it is scheduled for the day after Christmas, I plan to appear at the hearing to oppose this variance.

Respectfully,

Cherri A. Sparenberg

Arnold Jablon, Director PDM
County Office Bldg. Rm. 111
111 W. Chesapeake Ave
Towson, Maryland 21204

Dear Sir,

This letter is in reference to a notice posted in my neighborhood announcing a hearing on a zoning variance request. The case is #96-216A ITEM #215.

Many of my neighbors are opposed to the granting of this variance as it would like to maintain the integrity of our residential area.

I do not require further remarks. DEC. 12, 1995
I assume they would be more appropriately voiced at the scheduled hearing.

Sincerely,

Mrs. Frances L. Chenoweth
3927 Chenoak Ave.
Baltimore, Maryland 21203
(410) 668-3053

LETITIA THEISS
2917 CHENOAK AVE
BALTO MD 21234
PHONE: 661-4621

RE: CASE 96-216A
ITEM 215

MR. ARNOLD JABLON, Dir. PDM
COUNTY OFFICE BLDG. Rm. 111
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204

DEAR MR. JABLON,

MY NEIGHBOR AT 2918 CHENOAK AVENUE IS REQUESTING A VARIANCE FROM RESIDENTIAL ZONING IN ORDER TO ALLOW PARKING OF VARIOUS UNLICENSED/INOPERABLE VEHICLES. I AM OPPOSED TO THAT VARIANCE, SINCE IT IS MY OPINION THAT THIS SORT OF THING IS DETRACTING FROM OUR PROPERTY VALUES AS RESIDENTIAL PROPERTY. THANK YOU FOR YOUR CONSIDERATION.

SINCERELY,

Letitia A. Theiss

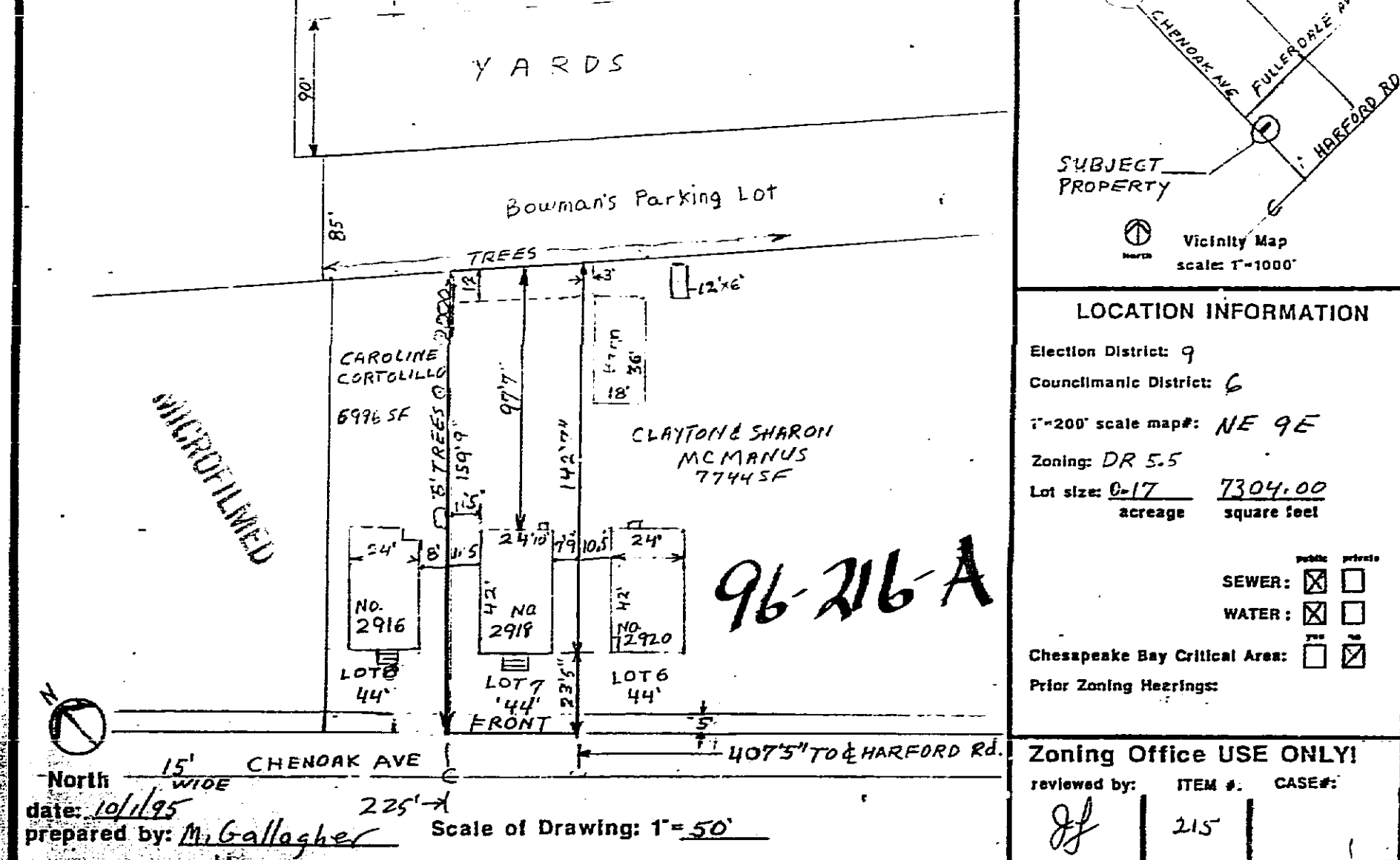
Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 2918 CHENOAK AVE

Subdivision name: HARFORDSHIRE

Plat book: 5, Volume 12, Lot 7, Section DR

OWNER: MICHAEL & CHRISTINE GALLAGHER



SCALE 50' TO 1"

WILLIAM WHITNEY

COUNTY SURVEYOR

Towson, Md. Nov. 5-1922

W.P.C. 5-12

FULLERDALE
PROPERTY
OF

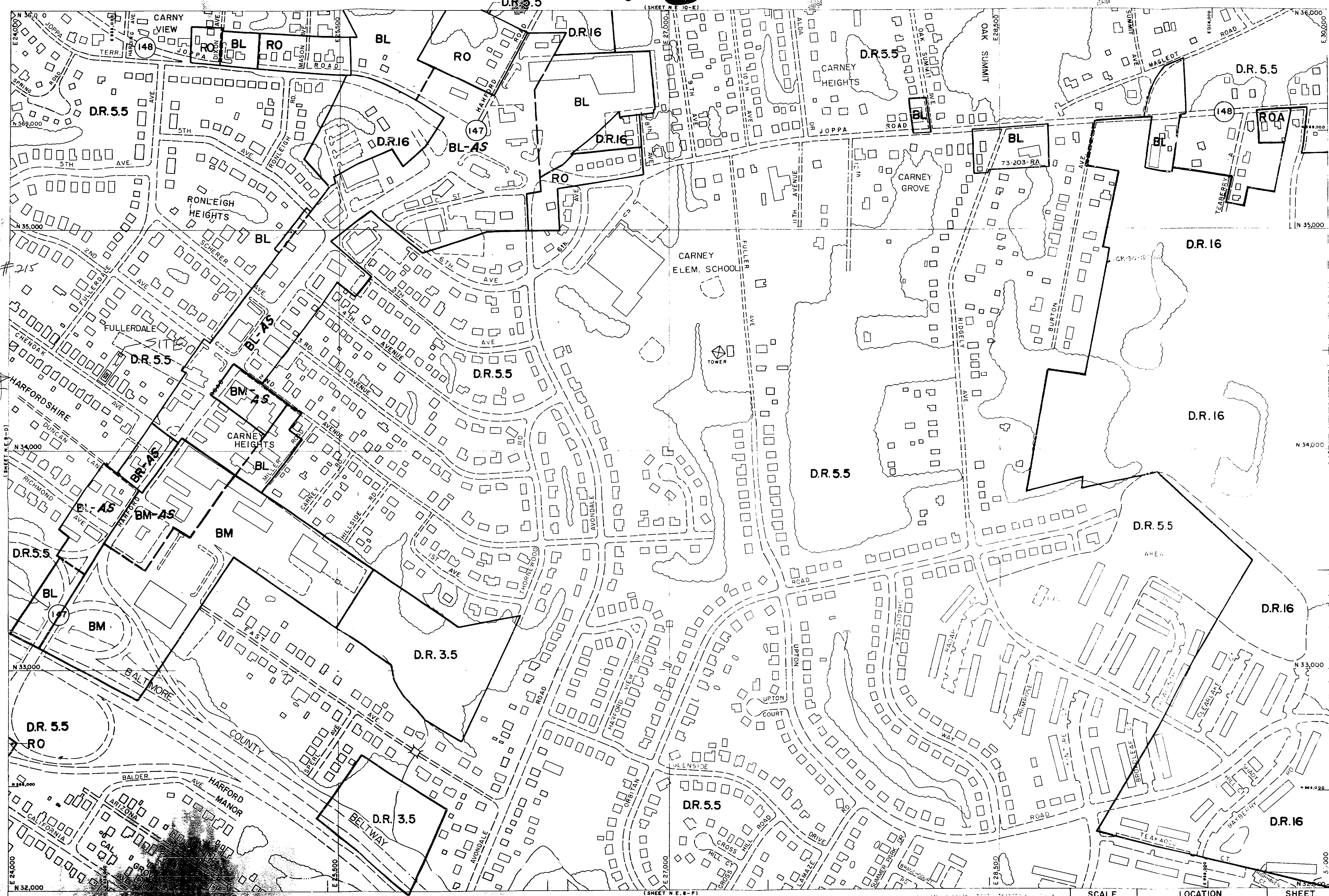
L.G. CHENOWETH

CARNEY

9TH DIST. BALTO. Co.

96-216-A

96-216-A



N-NE M-NW 2918 CHENOWETH AVE
BALTO MD 21234

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21218

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

By *[Signature]*
Chairman, Baltimore County Council

SCALE 1" = 200'	LOCATION PARKVILLE	SHEET N.E. 9-E
DATE OF PHOTOGRAPHY JANUARY 1986		